

REMARKS

Applicants have carefully reviewed the Office Action dated May 11, 2006. Applicants have amended Claims 1, 7, and 21 to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested.

Claim Rejections – 35 USC § 102

Claims 1, 2, 5, 7, 10, 12, 21, 22, and 25 stand rejected under 35 USC 102(b) as being anticipated by *Turner* (USP # 2356957). This rejection is respectfully traversed.

The Examiner has stated that *Turner* disclosed a burial container capable of containing a body, and the Examiner specifically refers to the fact that the lower panel has an opening (16) capable of *permitting communications of earth into the enclosure “after” valve/seal (17)/(18) degradation*. (Emphasis added) The claim, prior to amendment, stated that the burial container had a lower panel with an opening “formed therein to permit communication of earth into the enclosure.” The Examiner is interpreting the opening (16) in *Turner* to be of such a nature that, when it rusts out, some earth may enter the enclosure. The claims have been amended to more clearly point out the fact that the body is in substantially direct contact with the earth when the body is placed in the enclosure, this being the amendment in Claim 1. The remaining Claims 7 and 21 have been similarly amended. This limitation clearly distinguishes over *Turner*, since *Turner* requires some time to pass in order for the seal (17) to leak. Further, there is no substantial contact with the body prior to degradation. As such, Applicants believe that Claims 1, 2, 5, 7, 10, 12, 21, 22, and 25 now overcome the 35 USC §102(b) rejection in view of *Turner* and, therefore, respectfully request this rejection.

Claim Rejections – 35 USC § 103

Claims 3, 9, and 24 stand rejected under 35 USC 103(a) as being unpatentable over *Turner* in view of *Patterson et al.* (USP # 2927453). This rejection is respectfully traversed.

The addition of the *Patterson* reference does not cure the deficiencies noted hereinabove with respect to the use of the reference to *Turner*. As such, Applicants believe that Claims 3, 9, and 24, since they depend from Claims 1, 7, and 21, respectively, now overcome the 35 USC §103(a) rejection, the withdrawal of which is respectfully requested.

Claim 4 stand rejected stand rejected under 35 USC 103(a) as being upatentable over *Turner* in view of *Patterson et al.* as applied to Claim 3, and further in view of *Gillepsie et al.* (USP # 4200944). This rejection is respectfully traversed.

The addition of the *Gillepsie* reference does not cure the deficiencies noted hereinabove with respect to the combination of *Turner* and *Patterson*. As such, Applicants respectfully request withdrawal of the 35 USC §103(a) rejection with respect to Claim 4.

Claims 6, 8, and 23 stand rejected under 35 USC 103(a) as being upatentable over *Turner* in view of *Tzensiewski* (USP # 3273294). This rejection is respectfully traversed with respect to the amended claims.

The addition of the *Tzensiewski* reference in combination with *Turner* does not cure the deficiencies noted hereinabove with respect to independent Claims 1, 7, and 21, from which Claims 6, 8 and 23 depend, respectively. Therefore, Applicants believe that none of these claims are anticipated or obviated by the combination of *Turner* and *Tzensiewski* and, therefore, respectfully request withdrawal of the 35 USC § 103(a) rejection with respect thereto.

Claims 11 and 26 stand rejected under 35 USC 103(a) as being upatentable over *Turner* in view of *Christensen* (USP # 3230674). This rejection is respectfully traversed.

The addition of the *Christensen* reference with *Turner* does not cure the deficiencies hereinabove noted with respect independent Claims 7 and 21, from which Claims 11 and 26 depend, respectively. Therefore, As such, Applicants respectfully requests withdrawal of the 35 USC §103(a) rejection with respect thereto.

Applicants have now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicants respectfully request full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/JDCO-27,785 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,
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Signed Pursuant to 37 CFR § 1.34

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